

# Notice of Allowability

Application No.

09/240,434

Examiner

Toan D Nguyen

Applicant(s)

O'NEAL ET AL.

Art Unit

2665

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/11/05.
2. ☒ The allowed claim(s) is/are 1-8, 12-20, 22-30, 34-43, 45-53 and are renumbered 1-45, respectively.
3. ☒ The drawings filed on 29 January 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/27/04, 10/04/04, 10/22/04, 03/03/05.
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 2/28/05.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art fails to teach a combination of the steps of:

a plurality of point of presence (POP) telephony servers, coupled to the telephone network, and coupled to said web server via a data network, said plurality of POP telephony servers for connecting to said first and second telephonic devices via both the telephone network and the data network upon a data command received from said web server via the data network wherein said plurality of POP telephony servers comprises conversion logic for receiving voice data and converting said received voice data to streaming audio for transmission over the data network and for receiving streaming audio over said data network and converting said received streaming audio to said voice data for transmission over the data network wherein by converting said voice data to said streaming audio, and by converting said streaming audio to said voice data, a two way connection between said plurality of telephonic devices is established over a data network, in the specific combination as recited in the claim.

Regarding claims 15 and 23, the prior art fails to teach a combination of the steps of:

wherein said first and second telephony servers comprise a data server, coupled to the data network, for sending and receiving streaming audio to and from said web server; and

voice/streaming audio conversion, coupled to said data server, for converting voice information to streaming audio format for transmission to said data server, and for converting streaming audio received from said data server to voice format wherein by converting said voice information to said streaming audio format, and by converting said streaming audio to said voice format, a two way connection between said plurality of telephonic devices is established over the data network, in the specific combination as recited in the claims.

Regarding claim 30, the prior art fails to teach a combination of the steps of:

wherein said plurality of POP telephony servers comprises conversion logic for receiving voice data and converting said received voice data to streaming audio for transmission over the data network and for receiving streaming audio over said data network and converting said received streaming audio to said voice data for transmission over the data network wherein by converting said voice data to said streaming audio, and by converting said streaming audio to said voice data, a two way connection between said plurality of telephonic devices is established over a data network, in the specific combination as recited in the claim.

Regarding claim 40, the prior art fails to teach a combination of the steps of:

e) converting voice information to streaming audio format for transmission over the data network, and for converting streaming audio received over the data network to voice format wherein by converting said voice information to said streaming audio format, and by converting said streaming audio to said voice format, a two way

connection between the two telephony devices is established over the data network, in the specific combination as recited in the claim.

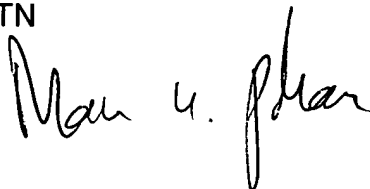
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MAN U. PHAN  
PRIMARY EXAMINER